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BY ECF:

February 4, 2021

Honorable Sidney H. Stein  
United States District Court Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: United States v. Nicholas Falu,  
19 Cr 795 (SHS)

Your Honor,

I am writing on behalf of the defendant, Nicholas Falu who as the Court is aware, has been released on bond under this Court's Order since November of 2019 under the following conditions:

- 1-\$150,000.00 PRB co-signed by three individuals
- 2- Home detention with GPS monitoring
- 3- Surrender of Passport
- 4- Drug testing
- 5- Travel only in the SDNY and EDNY.


Mr. Falu was sentenced by this Court on December 7<sup>th</sup> to one year and a day. He is still awaiting designation by the BOP. I am writing to most respectfully request that the Court allow Mr. Falu to attend his grand niece's baptism on Saturday, February 6<sup>th</sup> from 5pm to 11pm at his niece's home located at 25 Lindsey Street, Yonkers, New York. The gathering has been approved by the local authorities re: Covid and all the proper protocols will be enforced. The Court has approved a number of family events for Mr. Falu to attend and there have been no problems from any of these events. Thus, Mr. Falu would most respectfully request that he be given permission to attend this event.

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His Pre-trial officer Joshua Rothman and the Government do oppose this request on the basis that an in-person family/social gathering is not an appropriate exception during the COVID-19 pandemic or house arrest. This opposition is not specific to Mr. Falu but is an office policy. As previously noted Mr. Falu is in complete compliance with all of his Pre-Trial Supervision rules. While I understand the Government's general objection the family has informed the local authorities and the event has been authorized to occur and as stated all Covid 19 protocols will be strictly enforced. Thus, the threat of spreading the virus is quite minimal if any at all.

Therefore, I would respectfully request that the Court grant the above request. Thank you very much for your consideration of this matter

Respectfully yours,

  
David Touger

cc: AUSA Hobson  
Pre-Trial Services Officer Joshua Rothman

**Defendant's request is granted.**

**Dated: New York, New York  
February 4, 2021**